

FOR THE COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANCISCO DOMIGUEZ,

Petitioner,

v.

MATTHEW CATE,

Respondent.

No. C 12-5896 RMW (PR)

ORDER GRANTING  
EXTENSION OF TIME TO  
FILE APPLICATION TO  
PROCEED IN FORMA  
PAUPERIS

(Docket No. 5)

On November 19, 2012, petitioner, a state prisoner proceeding pro se, filed a writ of habeas corpus challenging a criminal conviction and judgment pursuant to 28 U.S.C. § 2254. (Doc. No. 1.) On the same day the clerk of the court sent a notice to petitioner directing him to file a completed application to proceed in forma pauperis (“IFP”) or pay the filing fee within thirty days. (Doc. No. 2.) Petitioner has filed a request for an extension of time in which to file an IFP application. (Doc. No. 5.)<sup>1</sup> Petitioner indicates that he did not receive the clerk’s notice until December 3, 2012, and that he has not received his legal materials since arriving at VSP. Petitioner requests a thirty day extension of time from the date he receives his property.

Good cause showing, petitioner’s motion is GRANTED. Petitioner shall file a complete

<sup>1</sup> Petitioner's request indicates that he is housed at Valley State Prison (“VSP”) in Chowchilla, a different prison than he was housed when the writ was filed. Although Petitioner did not notify the court of this change of address, the clerk shall update the court docket to reflect his current address.

1 IFP application within thirty (30) days of the filing date of this order. **Petitioner is warned that**  
2 **failure to file a complete IFP application within the time provided will result in dismissal of**  
3 **this action.** Plaintiff must keep the court informed of any change of address by filing a separate  
4 paper with the clerk headed "Notice of Change of Address."

5 This order terminates docket no. 5.

6 IT IS SO ORDERED.

7 DATED: ~~FEB 14~~ \_\_\_\_\_

  
RONALD M. WHYTE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

IN RE FRANCISCO DOMINGUEZ,  
Plaintiff,

Case Number: CV12-05896 RMW

**CERTIFICATE OF SERVICE**

v.

IN RE FRANCISCO DOMINGUEZ et al,  
Defendant.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 22, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Francisco Dominguez F-22191  
Valley State Prison (VSP)  
PO Box 92  
Chowchilla, CA 93610-0096

Dated: January 22, 2013

Richard W. Wieking, Clerk  
By: Jackie Lynn Garcia, Deputy Clerk